




# STATE OF CONNECTICUT

DEPARTMENT OF EDUCATION



**TO:** Directors of Special Education and Pupil Services  
Directors of Private Approved Special Education Facilities  
Director of Charter Schools

**FROM:** George P. Dowaliby, Chief   
Bureau of Special Education and Pupil Services

**DATE:** September 16, 1999

**SUBJECT:** Update #18

## IEP APPROVAL

As you are aware, we have been contacting districts regarding the status of IEP forms submitted to the Bureau for review and approval. If you have not already received a letter or been contacted by phone regarding the status of your district's proposed IEP form you will hear from us shortly. In the interim, please continue to use the IEP form that you were using at the close of the last school year. However, **we suggest that you not print unapproved IEPs in large quantities since changes to your form may be required.** Once your proposed form is approved, it must be implemented immediately. Forms which differ from the approved form must not be used after the date of the Department's approval of the IEP form.

During our review of IEP forms and discussions with districts, we have identified several issues of which you should be aware. Specifically:

1. Distribution of Procedural Safeguards in Special Education (the following does not address all situations when Procedural Safeguards are to be distributed)- This document must be sent to parents whenever a notice of a PPT is sent **AND** the document must be made available to parents at the PPT or mailed with the Written Prior Notice if the parent did not attend the PPT. Written Prior Notice may be provided at the PPT by giving a completed copy of the Written Prior Notice form, in which case the fact that you made a copy of Procedural Safeguards in Special Education available at the meeting satisfies the requirement that parents be advised of their rights at the time they are provided with Written Prior Notice. However, if the parent is not in attendance, a copy of Procedural Safeguards in Special Education must be enclosed with the Written Prior Notice form when it is sent to the parents. The copy of Procedural Safeguards in Special Education which is mailed with a PPT Notice cannot serve as the explanation of parent rights which must be provided at each PPT meeting and whenever parents are provided with Written Prior Notice
2. Every item on the IEP must be addressed. Any item left blank is interpreted by the Bureau as having not been addressed by the PPT. As all items on the IEP are required, a blank will constitute a noncompliance issue during Program Review. Complete all items as appropriate, including "not applicable" next to an item if that is the PPT's determination.

3. Destroy old copies of your IEP form if they are different from the form approved by the Bureau. We are finding that districts are mixing older versions of their IEP forms with the newer approved forms.
4. Quasi-Public, Private Schools and RESC students- All IEPs of students attending quasi-public, private and RESC programs MUST have their IEP developed on their LEA's standard approved IEP form. No part of a student's IEP may be on a form other than their district's approved IEP form. Districts MAY NOT attach a page(s) from another school's or program's IEP form to their IEP. This means that districts will need to arrange with Quasi-Public Schools, RESC programs and private providers to use the district's IEP form whenever these programs assist in writing an IEP for a district student. In all instances, it is the district's responsibility to ensure that each of their eligible students has an IEP on the district's standard form.
5. Other required forms-If, in addition to your IEP, PPT Summary sheet and Written Prior Notice pages, you submitted other forms to the Bureau, please be aware that these have NOT been reviewed for compliance at this time. The approval letter you have received, or will receive, relates to the IEP, PPT summary sheet and Written Prior Notice pages only. Other forms will be requested at a future date for review and approval.
6. Completed IEPs- Once your district's IEP has been approved, we are requiring submission of a completed copy of that form for a high school student. (If you do not write IEPs for high school students and report high school students on PCI you may submit a completed IEP for a student in the highest grade you serve.) Many districts have submitted completed IEPs that are not on approved forms. Please carefully check that all pages on the completed IEP you submit are on your approved forms. If you receive a letter indicating the completed IEP you submitted was not acceptable, please double check that you mailed an IEP on the approved form before calling the Bureau. Do not re-mail the same IEP!
7. Requesting Immediate Implementation of the IEP/PPT recommendations-The Bureau is not approving any statements on the IEP form, Written Prior Notice page or PPT Summary page which indicate or request the immediate implementation of the IEP or PPT recommendations. If the parents and the district agree that the IEP should be implemented immediately, this fact should be noted in the "List of PPT Recommendations" on the Planning and Placement Team Summary page. (Page 1)
8. A place for a parent signature indicating acceptance/rejection of the IEP or PPT Recommendations- The Bureau is not approving any IEP form which includes a statement of any type requesting or requiring a parent signature to accept or reject an IEP or the PPT recommendations.

### **Policy and Procedures Manual and Checklist**

We are continuing to develop a model Policy and Procedures Manual that addresses all applicable requirements of CGS 10-76 and IDEA 97. This Manual and accompanying Checklist of Items will be available later this fall.

For districts in the EASTCONN region that are participating in Program Review this fall, DO NOT submit a Policy and Procedures Manual until the Bureau provides you with the model Manual and requests that you submit a manual for your district.

### **Required Forms**

The Bureau expects that districts are using the sample Department forms dated August 1998, except for the July 1999 version of *Notice and Consent to Conduct a Reevaluation* and the *Multidisciplinary Evaluation Report* for students suspected of having a learning disability found in the new learning disabilities guidelines (both attached). Your district may choose to develop its own version of any form, **except the *Multidisciplinary Evaluation Report*, which must be the Department's form**, that includes all the required elements.

If you have hard copies of the Department forms or a disk containing these forms that are dated prior to August 1998, you will be out of compliance at the time the Bureau requests submission of these forms for approval later this year. **We advise you to adopt and begin immediate implementation** of the August 1998 version of the forms, the July 1999 version of the *Notice and Consent to Conduct a Reevaluation* form, and the new *Multidisciplinary Evaluation Report* found in the Learning Disabilities Guidelines. You may choose to develop your own forms, with the exception of the *Multidisciplinary Evaluation Report* form, but we advise you to base them on those described above.

If you need a disk or hard copy of the August 1998 forms, please contact Maria Roman at 860-807-2023 to have them mailed to you.

### **PROGRAM REVIEW**

Just a reminder about the schedule for upcoming Program Reviews:

1999-2000	EASTCONN
2000-2001	CREC
2001-2002	LEARN
2002-2003	ACES
2003-2004	CES, USD #1, USD #2, DMHAS, V-TSS
2004-2005	ED.CONNECTIONS

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There are available forms that will be helpful to your district in staying current until the time of your review. We encourage you to call for this information. For further assistance contact Anne Louise Thompson, Program Review Coordinator, at 860-807-2030.

## **PRESCHOOL SPECIAL EDUCATION NEWS AND VIEWS**

### **Birth Through Five Logo**

The State Department of Education's Preschool Special Education Program and the Connecticut Birth To Three System are introducing a Birth Through Five logo. The new Birth Through Five logo will be used to reflect those initiatives and activities that are a collaboration between the two state agency programs. The logo will appear on all communications, products and materials that are a joint collaborative venture of the two state service delivery systems serving young children with disabilities and their families.

### **Birth Through Five Videos**

The State Department of Education's Preschool Special Education Program and the Connecticut Birth To Three System will be hosting a video "world premiere" evening. The two state agency service delivery systems have completed and will be releasing two videos on the **transition** from Birth To Three to preschool special education. One video has been developed for families and will be in English and Spanish. The other video is targeted to both birth to three and preschool special education staff and administration. Both videos will be closed captioned for the hearing impaired.

The **Video Premiere on Transition** will be held at the **Children's Museum in West Hartford** on **Wednesday, September 22, 1999** from **6:30 p.m. to 8:00 p.m.** School district staff, parents and children are welcome. **Please RSVP to Maria Synodi at (860) 807-2054, if planning to attend.**

### **LEA Attendance at the 90-Day Transition Conference**

The reauthorization of the Individuals with Disabilities Education Act (IDEA), PL 105-17, requires that **"the local educational agency will participate in the transition planning conferences arranged by the designated lead agency"** (under IDEA, Part C). IDEA clearly expresses that school district personnel are required under the IDEA to participate in the 90-day transition conferences convened by the Birth To Three System. The purpose of the 90-day transition conference is to ensure that children experience a smooth and effective transition from birth to three to preschool special education programs and services. **Please be advised that the requirement of the attendance of school district personnel at the 90-day transition conferences is not limited to attendance during the school year, but extends throughout the calendar year.**

**Reminder: Developmental Delay Definition for 3 through 5**

The definition for "*children requiring special education*" now reflects the following: "**children ages three through five inclusive who are experiencing developmental delay that causes such child to require special education. Developmental delay means a significant delay in one or more of the following areas: (a) physical development, (b) communication development, (c) cognition development, (d) social emotional development, and/or (e) adaptive development as measured by appropriate diagnostic instruments and procedures as demonstrated by scores obtained on an appropriate norm-referenced standardized diagnostic instrument.**" Please be advised that the term "*developmental delay*" has replaced the state's definition of "*preschool children requiring special education*" (uncategorized). In determining a 3-5 year-old child's eligibility for special education, school districts may use the disability category of "*developmental delay*" or any one of the other IDEA disability categories. As a result of an evaluation, the child must be experiencing a developmental delay or a disability and it must also be determined that the child needs special education and related services in order for the child to be eligible for such services.

**Final Grant Award Letters and Budgets**

The State Department of Education's Preschool Special Education Program will be notifying all school districts of their final federal preschool special education entitlement figure within the near future. All school districts will be required to revise their preliminary budget and file a final preschool special education budget with the grant's program manager. All final budgets submitted must reflect the final preschool entitlement figure. Please be advised that the State Department of Education must receive all revised grant budgets by the specified due date. Eligible districts and agencies who do not respond in a timely fashion risk having their final budget completed by the State Department of Education in order that all eligible applicants receive their final grant award letters and budgets as soon as possible.

**PCI Preschool Placement Data**

The U.S. Department of Education, Office of Special Education Programs (OSEP), is now requiring states to report on the placement of 3-, 4-, and 5-year-old children receiving a free appropriate public education (FAPE) on December 1<sup>st</sup> of each given year. There will be a total of eight placement options that include: early childhood setting, early childhood special education setting, itinerant services, reverse mainstreaming, part-time early childhood, part-time early childhood special education, home, separate school, and residential facility. The PCI staff will be holding "PCI Updates Training" on the following dates: September 23, 24, 28, 29, 30 and October 1, 1999. All meetings will be held from 9:00-11:30 in Room 305A at the State Department of Education, 165 Capitol Avenue in Hartford. The new preschool placement categories and other new IDEA reporting requirements will be reviewed at this time. Please call Mary Keenan at (860) 566-3444 if you are interested in attending.

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### **LISTING YOUR POSITION VACANCIES FOR SPEECH AND LANGUAGE PATHOLOGISTS**

The Bureau of Special Education and Pupil Services, through Carolyn Isakson, Consultant for Speech and Language Services, is continuing its collaboration with the Connecticut Speech-Language-Hearing Association (CSHA) to assist school districts in securing qualified staff for speech and language programs.

CSHA will be holding its fall conference on October 1, 1999. If you have, or anticipate having, a vacancy for a Speech and Language Pathologist (SLP) and would like CSHA's assistance in advertising it at the conference, please complete the attached form and **return it to the CSHA office by September 24th**. CSHA's Career Information Committee maintains a booth in the exhibit area during the conference and provides SLPs seeking employment with a current list of job vacancies.

The CSHA office maintains an ongoing listing of position vacancies and candidates seeking employment. The office also has a "***JOB HOTLINE***", which is updated on a daily basis. Feel free to copy the CSHA form and use it whenever you have a vacancy that you would like to have listed. You may also request CSHA's candidate list as necessary. Please notify the CSHA office as soon as your position is filled, so that the job listings can be kept current.

For further assistance, you may call Maria Parker at the CSHA office by calling (860) 666-6900. Thank you for your prompt attention to this matter.

### **SPEECH-LANGUAGE ELIGIBILITY CRITERIA**

Enclosed is a diskette (IBM compatible) with the forms from the core section of the eligibility guidelines. You may make as many copies as you need for your staff. Please note that, based on feedback from the field, we have made some minor changes to the PPT Report of Eligibility for Speech-Language Services. We are still working to get these forms up on the Department's website.

Flyers have been sent to your SLPs regarding the full-day regional training sessions that will be offered this fall. Carolyn Isakson will be joined in her presentation by SLPs who were members of the statewide committee responsible for developing the eligibility criteria. Your support in ensuring release time for your SLPs to attend this full-day training is critical to their ability to implement the new speech and language eligibility criteria. Carolyn will also provide a brief overview of the criteria at the ConnCase Leadership Forum meeting in October. Specific skill building training for SLPs is being offered through SERC. Please see SERC's Integrated Student Support Services menu book for offerings. Additional training in the form of summer institutes is being planned with SERC. For further information, please call Carolyn Isakson at (860) 807-2046.

## LEARNING DISABILITIES

It has come to our attention that there may be some confusion as to when a child suspected of having a learning disability can be referred for an evaluation. Some regular education teachers are reportedly under the impression that they can no longer refer children suspected of having a learning disability before fourth grade. This is not the case. In order to clarify any confusion, we would like to reiterate the following points that were made in the training conducted by BSEPS staff:

1. The Federal law states that a referral must be made to a Planning and Placement team when a disability is suspected;
2. It is not appropriate to suspect a learning disability every time a child is having academic difficulties, nor it is appropriate to refer all struggling students for an evaluation simply because it is thought special education is the only intervention/service available;
3. According to IDEA, a child cannot be identified as having a disability if the determining factor is a "lack of education";
4. In light of the new *Guidelines for Identifying Children with Learning Disabilities*, in order to suspect a learning disability, you should have an understanding of:
  - The legal definition of a learning disability;
  - The flaws in the current definition;
  - The current reading research; and
  - The concept of resistance to instruction;
5. It is anticipated that the majority of students who have a learning disability will be identified between late second grade and fourth or fifth grade;
6. Since it is unusual to find a discrepancy before that time, the SDE is advocating eliminating the "wait and fail" model by unifying regular and special education resources so that personnel can be used more efficiently to provide the appropriate classroom instruction and intervention(s) to **all** children when needed; and
7. The guidelines state that when a child has been provided with the appropriate classroom instruction and the appropriately matched intervention, and it is evident that the child is "resistant to instruction", the child should be referred for an evaluation if a learning disability is suspected.

On a more upbeat note, your psychologists and speech and language clinicians may be interested to know that Dr. Joseph Torgesen's new Comprehensive Test of Phonological Awareness has been published by Pro Ed, and is now available. This is not a screening instrument. It is a more in-depth assessment, and includes rapid naming and short-term memory, as well as phonological skills. For further assistance, please call Anne Louise Thompson at (860) 807-2030.

### **TRANSITION PLANNING**

Enclosed is a form requesting the name, address and telephone number of the staff member in your district who is most directly responsible for transition planning at the secondary level. This may be your Transition Coordinator, Work-Study Coordinator, classroom teacher, or guidance counselor. Please do not include your name as Special Education Directors will always receive copies of any announcements or materials that are disseminated. Please contact Karen Halliday at (860) 807-2020 if you have any questions.

### **CHARTER SCHOOLS AND STUDENTS WITH DISABILITIES**

Connecticut is one of seven states that will be participating in a national study focusing on the implementation of special education in US Charter Schools. Project Search (Special Education as Requirements in Charter Schools) will examine current special education policies at the federal, state, and local levels as they impact on charter schools and students with disabilities enrolled in charter schools. This study will not be directed at individual schools or LEAs but at the current state of special education in Connecticut. Dr. Eileen Ahearn, Project Director, will be hosting a series of focus groups with charter school personnel and local directors of special education in Connecticut. We hope you can attend one of these focus groups. Your input will assist in future policy recommendations for charter schools and students with disabilities at the federal and state level. Dr. Ahearn will be presenting a brief overview of the study at the first Special Education Leadership Forum on October 13, 1999 from 8:30 AM to 11:00 AM at the Ramada Plaza Hotel in Meriden.

### **ATTENTION DEFICIT DISORDER (ADD), ATTENTION DEFICIT HYPERACTIVELY DISORDER (ADHD) AND ELIGIBILITY AS OTHER HEALTH IMPAIRED**

IDEA's final regulations now include ADD and ADHD as examples of conditions that MAY cause a student to be eligible as disabled under IDEA's "other health impairment" (OHI) category. This change only codifies the long-standing policy that some children with ADHD may be eligible under the OHI category if the condition adversely affects educational performance. The number of students identified as disabled under the OHI label in Connecticut has increased over 400% since 1993. The State Board of Education has asked the Department to determine why there is such an increase in this category. Staff at the Department suspects that the reason for the increase is because of the ADHD population. To determine if this is the case, the Department will ask districts to identify on their December 1 count if a student is identified as OHI because of an ADHD condition. This additional subcategory under ISSIS is not a new category of disability but a vehicle to obtain information that will substantiate the increase in the number of students identified as OHI. Please contact Nancy Cappello at (860) 807-2035 if you have any questions.



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### **SEMINAR SERIES FOR SCHOOL PSYCHOLOGY SUPERVISORS**

A seminar series on Issues in School Psychology Supervision and Administration will provide school psychology supervisors the opportunity to discuss and exchange information about current topics. State Department of Education consultants with expertise in the respective topics will serve as discussants. Please pass on the enclosed flyer/application form to your district's supervisor or coordinator for psychological services. For further information, please call Bob Lichtenstein at (860) 807-2042.

### **WORKSHOP FOR SUPERVISORS OF SCHOOL COUNSELORS**

The Connecticut State Department of Education and the Connecticut Association for Counselor Education and Supervision (CACES) will be offering a workshop that provides guidance directors with an opportunity to discuss and exchange information about current topics in the area of administration and supervision of guidance personnel. Please pass on the enclosed flyer/application form to your district's supervisor or coordinator for school counseling.

### **FALL HIRING SURVEY**

The Bureau of Student Assessment and Research is sending out a Fall Hiring Survey to all LEAs, to Approved Private Special Education Facilities, and to the Board of Education and Services for the Blind (BESB). This is the first time that private facilities and BESB have been included in the survey. The goal is to obtain as clear a picture as possible regarding personnel needs in the state. In addition, questions within special education have been delineated to gather further information regarding personnel issues. Each of you is urged to speak with the person(s) in your agency who will complete this form to help insure that special education and related services personnel information is reported as accurately as possible.

### **WHITNEY HALL SCHOOL**

As requested by Whitney Hall School, the Department has approved a change in the configuration of that school's approved special education program. Effective September 16, 1999, the Whitney Hall School special education program is located exclusively in Hamden.

Previously, the Department had approved several other sites as satellites of the Whitney Hall School special education program: Housatonic Children's Center School, Shoreline Children's Center School, and Children's Center - Stratford. These programs are no longer considered to be satellites of the Whitney Hall School and are not approved by the Department as private special education program(s) at this time.

Please call Art Carey at (860) 807-2032 with any questions regarding the approval status of this or any other privately-operated special education program.

### **PRIVATE FACILITY APPROVAL REVIEWS**

During the 1999-2000 school year, the Bureau plans to conduct a review of approximately fifteen private special education programs in order to ensure that the programs are being operated in accordance with the "Principles, Procedures and Standards of Private Special Education Programs" adopted by the State Board of Education in June 1998, and with any changes in special education law since the adoption of those standards.

Each review team will be led by John Purdy or Art Carey, and will include an LEA representative and a private special education program representative.

In particular, the Bureau will be monitoring whether the following procedures are in operation at each facility:

- That designated staff review the current Individualized Education Program (IEP) of each disabled child who is being considered for admission to the facility in order to ensure that the IEP can be fully implemented at the facility upon enrollment in the special education program;
- That a copy of the current IEP, developed by a school district Planning and Placement Team and documented on the school district's IEP form, is in the student file of each disabled child who is enrolled in the special education program;
- That each such IEP is being fully implemented by appropriately certified and/or licensed individuals and that each such individual is familiar with all relevant IEP components;
- That each disabled child's progress toward the child's IEP goals is shared with the child's parent or surrogate parent, as appropriate, at least as often as the child's school district reports student progress to the parents of nondisabled children;
- That any and all behavior management systems used within the program are appropriate; and
- That the facility interacts effectively with school districts in order to facilitate the receipt of appropriate educational services by each child upon discharge from the facility.

Please contact Mr. Purdy at (860) 807-2045 if you would like to be a member of a review team.

### **SURROGATE PARENTS**

Enclosed is a current listing of individuals with whom the Department has contracted to serve as surrogate parents for eligible children. Please call Art Carey at (860) 807-2032 with any questions regarding our surrogate parent appointment system.

**GPD:m**  
**Enclosures**

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cc: Theodore S. Sergi, Commissioner of Education  
George A. Coleman, Associate Commissioner  
Edward Preneta, Council on Developmental Disabilities  
Bonnie Moran, Special Education Advisory Council  
Nancy Prescott, CT Parent Advocacy Center  
Superintendents of School  
Special Education Hearing Officers  
SDE Staff